

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1038*

Short Title: Driver Ed Performance Indicators (PED). (Public)

Sponsors: Representatives Howard, Hurley, and Moffitt (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Education, if favorable, Transportation.

May 15, 2014

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH AND UTILIZE PERFORMANCE INDICATORS TO MEASURE THE EFFICIENCY AND EFFECTIVENESS OF THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION, IN COLLABORATION WITH THE DIVISION OF MOTOR VEHICLES, TO ESTABLISH A FOLLOW-UP INFORMATION MANAGEMENT SYSTEM TO MONITOR THE PERFORMANCE OF CURRENT AND CERTAIN PAST PARTICIPANTS IN THE DRIVER EDUCATION PROGRAM; TO REQUIRE THE DEPARTMENT OF TRANSPORTATION, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC INSTRUCTION, TO STUDY THE FEASIBILITY OF DELIVERING DRIVER EDUCATION THROUGH ELECTRONIC MEANS; AND TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO ESTABLISH STANDARDS FOR USE BY ALL DEPARTMENTS, AGENCIES, BUREAUS, DIVISIONS, AND INSTITUTIONS OF THE STATE WHEN CONDUCTING AND COMPLETING PILOT PROJECTS REQUESTED BY THE GENERAL ASSEMBLY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 115C-215 reads as rewritten:

"§ 115C-215. Administration of driver education program by the Department of Public Instruction.

...

(c) The State Board of Education shall establish and implement a strategic plan for the driver education program. At a minimum, the strategic plan shall consist of goals and performance indicators, including the number of program participants as compared to the number of persons projected to be eligible to participate in the program, the implementation of a standard curriculum for the program, expenditures for the program, ~~and~~ the success rate of program participants in receiving a drivers license as reported by the Division of Motor ~~Vehieles~~. Vehicles, and the development and implementation of a follow-up information management system in accordance with G.S. 115C-217 for monitoring the performance of current and past program participants. The strategic plan shall also outline specific roles and duties of an advisory committee consisting of employees of the Division of Motor Vehicles and the Department of Public Instruction and other stakeholders in driver education.

(c1) The State Board of Education shall establish and utilize performance indicators to measure the efficiency and effectiveness of the driver education program. The State Board of



1 Education shall collect data from the local school administrative units and utilize data made
2 available by the Division of Motor Vehicles that the State Board of Education deems necessary
3 to (i) establish the performance indicators and (ii) determine whether the performance
4 indicators have been met. Nothing in this subsection shall be construed to allow the disclosure
5 of information deemed confidential by federal or State law.

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7 **SECTION 1.(b)** In establishing the performance indicators required by
8 G.S. 115C-215(c1), as enacted by Section 1(a) of this act, the State Board of Education shall
9 consult with the Highway Safety Research Center Institute of the University of North Carolina
10 at Chapel Hill and the Division of Motor Vehicles on performance indicator design, data
11 collection procedures, and reporting methodologies. At a minimum, the performance indicators
12 shall be designed to allow determination of the following:

- 13 (1) The resources available to administer the driver education program,
14 including the amount and type of funding available, the number of staff and
15 instructors employed or contracted to provide services, and the number and
16 type of facilities used and available for use.
- 17 (2) The number of persons served by, and the number of services provided
18 through, the driver education program, including the number of students
19 enrolled in the driver education program, the number of courses provided,
20 and the amount of time provided for classroom and behind-the-wheel
21 instruction.
- 22 (3) Whether the driver education program has achieved the goals set in the
23 strategic plan established in G.S. 115C-215, including the number of
24 students participating in the driver education program as compared to the
25 number of students eligible to participate in the driver education program,
26 the number of students successfully completing the driver education
27 program, and the number of students who completed the driver education
28 program and successfully received a drivers license.
- 29 (4) Whether the driver education program is administered in a cost-efficient
30 manner, including the cost per student participating in the driver education
31 program and the cost per student completing the driver education program.

32 **SECTION 1.(c)** The State Board of Education shall submit an interim report on its
33 progress establishing performance indicators to measure the efficiency and effectiveness of the
34 driver education program to the Joint Legislative Program Evaluation Oversight Committee on
35 or before October 1, 2014, and a final report identifying and explaining the performance
36 indicators by March 15, 2015.

37 **SECTION 1.(d)** The State Board of Education shall establish the performance
38 indicators required by G.S. 115C-215(c1), as enacted by Section 1(a) of this act, by no later
39 than March 1, 2015.

40 **SECTION 2.(a)** Chapter 115C of the General Statutes is amended by adding a new
41 section to read:

42 **"§ 115C-217. Driver education follow-up information management system.**

43 (a) Definition. – For purposes of this section, the term "program participants" means
44 current and former participants up to 22 years of age in the driver education program
45 administered by the Department of Public Instruction in accordance with G.S. 115C-215.

46 (b) Establishment. – As part of the strategic plan established and implemented by the
47 State Board of Education under G.S. 115C-215 for the driver education program, the
48 Department of Public Instruction, in collaboration with the Division of Motor Vehicles, shall
49 develop, implement, and maintain a follow-up information management system for monitoring
50 the performance of program participants. The system shall provide for the automated

1 collection, organization, dissemination, and analysis of data obtained by the Department of
2 Public Instruction and the Division of Motor Vehicles on program participants.

3 (c) Confidentiality. – In developing the system, the Department of Public Instruction
4 shall ensure that data collected about program participants is confidential, not open for general
5 public inspection, and maintained and disseminated in a manner that protects the identity of
6 individual persons from general public disclosure. Nothing in this subsection shall be construed
7 to allow the disclosure of information deemed confidential by federal or State law.

8 (d) Data. – The data collected shall include the following:

9 (1) An identification of the local school administrative unit that provided driver
10 education to the program participant whose performance is being monitored.

11 (2) The success rate of program participants in receiving a drivers license.

12 (3) The number of traffic violations committed and citations received by
13 program participants.

14 (4) The number of traffic accidents a program participant was involved in as a
15 driver, including whether the accident involved a fatality.

16 (5) Any other data deemed necessary by the State Board of Education to
17 measure the effectiveness of the driver education program.

18 (e) Procedures and Guidelines. – The Department of Public Instruction shall adopt
19 procedures and guidelines for the development and implementation of the follow-up
20 information management system authorized under this section.

21 (f) Local School Administrative Units. – Local school administrative units shall submit
22 any data requested by the Department of Public Instruction on program participants. The
23 Department of Public Instruction shall provide training for local school administrative units on
24 submitting data to ensure data quality and consistency. The Department of Public Instruction
25 may withhold up to ten percent (10%) of State funds allotted for driver education from any
26 local school administrative unit that fails to submit data requested by the Department of Public
27 Instruction under this subsection. Any funds withheld under this subsection shall revert and
28 remain unexpended and unencumbered until appropriated by the General Assembly in a
29 subsequent fiscal year.

30 (g) Evaluation. – The Department of Public Instruction shall provide information from
31 the follow-up information management system to the State Board of Education in a format
32 prescribed by the State Board of Education. Based on this information, the State Board of
33 Education shall evaluate the effectiveness of the driver education program to determine if
34 specific program goals and performance indicators have been met.

35 (h) Report. – The Division of Motor Vehicles shall include data collected and analyzed
36 through the follow-up information management system in any annual report published under
37 G.S. 20-88.1.

38 (i) Funding. – The Department of Public Instruction shall ensure that funding and staff
39 resources for the follow-up information management system are not diverted to other programs
40 or systems administered by the Department of Public Instruction."

41 **SECTION 2.(b)** G.S. 20-88.1 is amended by adding a new subsection to read:

42 "(e) The Division shall collect and submit data on participants in the driver education
43 program in accordance with G.S. 115C-215 and G.S. 115C-217."

44 **SECTION 2.(c)** G.S. 20-166.1(k) reads as rewritten:

45 "(j) Statistics. – The Division may periodically publish statistical information on motor
46 vehicle accidents based on information in accident reports. The Division may conduct detailed
47 research to determine more fully the cause and control of accidents and may conduct
48 experimental field tests within areas of the State from time to time to prove the practicability of
49 various ideas advanced in traffic control and accident prevention. Any annual report made
50 under this subsection shall include data collected and analyzed through the follow-up
51 information management system established in accordance with G.S. 115C-217, including a

1 comparison of traffic violation rates and traffic accident rates between drivers under the age of
2 22 who completed the driver education program administered by the Department of Public
3 Instruction in accordance with G.S. 115C-215 and drivers under the age of 22 who did not
4 participate in the driver education program. Nothing in this subsection shall be construed to
5 allow the disclosure of information deemed confidential by federal or State law."

6 **SECTION 2.(d)** The Department of Public Instruction shall develop and
7 implement the follow-up information management system required by G.S. 115C-217, as
8 enacted by Section 2(a) of this act, by no later than March 1, 2015.

9 **SECTION 3.(a)** The Department of Transportation, in consultation with the
10 Department of Public Instruction and any other State agency the Department of Transportation
11 deems necessary to consult with, shall study the feasibility of delivering driver education
12 through electronic means. At a minimum, the study shall examine the following:

- 13 (1) The cost and feasibility of delivering the classroom component of driver
14 education through electronic means, including the number of instructors that
15 may be required to provide live instruction to participants as they progress
16 through the electronic program.
- 17 (2) Recommendations for improving the administration of the driver education
18 program, including whether the administration of the driver education
19 program should be transferred to the Department of Transportation from the
20 Department of Public Instruction.
- 21 (3) The future roles of the following entities in the further development and
22 administration of the driver education program: the State Board of
23 Education, the Department of Public Instruction, and local school
24 administrative units.

25 **SECTION 3.(b)** For purposes of studying the cost and feasibility of delivering the
26 classroom component of the driver education program through electronic means, the
27 Department of Transportation shall issue a Request for Qualifications to individuals and
28 organizations identified by the Department of Transportation as potential providers of the
29 classroom component of the driver education program through electronic means. The Center
30 for the Study of Young Drivers in the Highway Safety Research Center Institute of the
31 University of North Carolina at Chapel Hill and the Department of Public Instruction shall
32 assist the Department of Transportation in preparing the Request for Qualifications and
33 evaluating the responses of organizations. In addition, and from funds available, the
34 Department of Transportation may contract with a technical advisor who has expertise in the
35 delivery of education through electronic means to assist in preparing the Request for
36 Qualifications and evaluating the responses of organizations. The technical advisor must not be
37 a potential provider, or employed by a potential provider, of the classroom component of the
38 driver education program through electronic means. Any contract entered into under this
39 subsection shall meet the requirements of Article 3C of Chapter 143 of the General Statutes,
40 and the length of the contract shall not extend past the submission date of the final report in
41 Section 3(d) of this act.

42 **SECTION 3.(c)** The Department of Public Instruction and local school
43 administrative units shall provide in a timely fashion all information requested by the
44 Department of Transportation while conducting the study under Section 3(a) of this act.

45 **SECTION 3.(d)** The Department of Transportation shall submit an interim report
46 on its analysis, findings, and recommendations to the Joint Legislative Program Evaluation
47 Oversight Committee on or before December 1, 2014, and a final report by March 15, 2015.

48 **SECTION 4.(a)** Article 10 of Chapter 143 of the General Statutes is amended by
49 adding a new section to read:

50 **"§ 143-162.3. Pilot project standards.**

1 (a) Establishment. – By March 1, 2015, the School of Government at the University of
2 North Carolina at Chapel Hill, in cooperation with other State universities, shall establish and
3 publish standards for conducting and completing pilot projects requested by the General
4 Assembly. At a minimum, the standards shall provide a range of optional methods for
5 conducting and completing pilot projects that takes into consideration time and resources
6 available.

7 (b) Requirement. – Unless specifically exempted by law, all departments, agencies,
8 bureaus, divisions, and institutions of the State shall conduct and complete pilot projects
9 requested by the General Assembly after March 1, 2015, in accordance with the standards
10 established by the School of Government at the University of North Carolina at Chapel Hill in
11 subsection (a) of this section.

12 (c) Updates. – The School of Government at the University of North Carolina at Chapel
13 Hill may update the standards established for pilot projects in subsection (a) of this section as it
14 deems necessary. The School of Government at the University of North Carolina at Chapel Hill
15 shall provide all departments, bureaus, divisions, and institutions of the State with 90 days
16 written notice prior to enacting any updates to the standards established for pilot projects in
17 subsection (a) of this section."

18 **SECTION 4.(b)** The School of Government at the University of North Carolina at
19 Chapel Hill shall not finalize the standards it establishes for pilot projects until after
20 consultation with the Joint Legislative Program Evaluation Oversight Committee. By January
21 1, 2015, the School of Government at the University of North Carolina at Chapel Hill shall
22 submit a detailed report of the standards it established for pilot projects to the Chairs of the
23 Committee and to the Director of the Program Evaluation Division of the General Assembly. If
24 the Committee does not hold a meeting to hear the consultation within 90 days of receiving the
25 submission of the detailed report, the consultation requirement is satisfied.

26 **SECTION 5.** This act is effective when it becomes law.